

From: Alex Johnson
To: Microsoft ATR
Date: 1/24/02 2:45am
Subject: Microsoft Settlement

Dear sirs:

I'd like to take his opportunity to comment one of the inadequacies I see in the Proposed Settlement of the Microsoft Case.

Specifically, the Proposed Final Judgement (PFJ) appears to attempt erode the Applications Barrier to Entry in two ways:

1. By forbidding retaliation against OEMs, ISVs, and IHVs who support or develop alternatives to Windows.
2. By taking various measures to ensure that Windows allows the use of non-Microsoft middleware.

It omits, however, perhaps the most effective method available to eliminate the Applications Barrier to Entry: making sure that Microsoft raises no artificial barriers to non-Microsoft operating systems which implement the APIs needed to run application programs written for Windows. In fact, Paragraph 52 of the Findings of Fact considers just this possibility.

As the owner of an information systems consulting business, I find myself no alternative but to recommend Microsoft operating systems to my clients who must use software written to the Microsoft APIs. Requiring Microsoft to publish these APIs would make it possible for developers of other operating systems to allow the running of these applications. This would provide valid and healthy competition as an alternative to the current Microsoft monopoly.

This letter highlights just one of the many problems I see within the PFJ. I hope that the U.S. Department of Justice will take proactive measures to correct the inadequacies as highlighted by this and other correspondence received during this public comment period.

Thank you-
Alexander M. Johnson, P.E.

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